

HELD TO THE GRAND JURY

(Continued from first page.)

the bank?

Ans. I don't remember the time, but he remained till twelve o'clock.

Ques. What time in the afternoon did he return?

Ans. About three o'clock.

Ques. Had you discussed the check every time he was there?

Ans. Only when he said that he was going to Marion.

Ques. Did he go Wednesday?

Ans. No.

Ques. What conversation did you have?

Ans. We went over to the bank and discussed it privately.

Ques. Did he fail to get the rig on Wednesday?

Ans. Yes.

Ques. Did he try Thursday?

Ans. I do not know.

Ques. Who was present when Jno. D. came into your office Thursday afternoon?

Ans. I can't remember who comes into my office every day, but I think Charles Cassidy was one.

Ques. Did you tell Jno. D. about trouble in balancing books?

Ans. Yes, I handed him the foreign drafts.

Ques. Was the front door locked before this?

Ans. It was.

Ques. Could Jno. D. see the back door from where he was sitting?

Ans. I don't know, I don't think he could.

Ques. Wasn't your back door hard to open?

Ans. Yes.

Ques. Did Jno. D. know this?

Ans. Yes, one Saturday, I asked him to help me open it, he took the poker and I took the hatchet and we pried it open.

Ques. Did Jno. D. know the back door was open?

Ans. Earlier in the afternoon, I remarked that the office was cold and said no wonder we have it ventilated clear through. Some one had left the front door open and the back doors were open. I closed the front door and the middle door.

Ques. Did Mrs. Dycus come in while Jno. D. was there?

Ans. Yes, she came in about 3:30 p. m., to get some flowers.

Ques. Had you as often as twice left Jno. D. in the office alone?

Ans. Never had left him.

Ques. Did you one day go out the door and leave Jno. D. in the office alone?

Ans. Never left him alone only long enough to get a shovel of coal.

Ques. Did you one day leave Jno. D. and Tom Smith in the office alone?

Ans. Yes, I was called to the telephone one day, across the street, Smith had come in to make a deposit, they called me and said they were holding the phone, for me, so I said to Smith, will you be here for awhile?

Ques. Who came oftener, Smith or Gregory?

Ans. Gregory was the only loafer I had.

Ques. With what part of the hatchet did he strike you?

Ans. He hit me with the head of the hatchet. (He was excused.)

3rd. Witness, P. K. Cooksey, Vice-President of bank, Edgar Gregory was elected cashier in the early part of January. I was in Marion Thursday morning and left on the eleven o'clock train. Got home between two and three o'clock; I saw Jno. D. at the drug store when I first got home. It was about four o'clock when the trouble occurred. The first that I had heard Mr. Dycus hollowed and attracted my attention to the bank. The defendant was captured about a hundred or a hundred and fifty yards from the bank, by Obe Simmons, Robert Jackson, Chas. Gregory and some others. I was not present but went to the bank in about two or three minutes. It was all open, the vault is either 6x8 or 8x10 I don't know which. It is about 6 feet from the door of the vault to the safe. There was blood on top of the safe, on the shelf behind the safe also on the floor by the safe; on the door at the entrance of the office, two or three drops of blood on the office floor. Mrs. Yates resides nearest the bank. Defendant had been town marshal, but don't

think that he was acting at the time of the trouble.

4th. Witness, Mrs. T. J. Yates, I was beginning my supper and started to the smoke house and heard scuffling and running footsteps and looked out the back door and saw John D. running with his hands up. Edgie came to the back door and threw something at him. It hit the coal house where John D. was getting over the fence. Edgie was bloody from head to shoulders. I went in the bank in about ten minutes. Blood was on the shelf back of the safe, on the safe and on the door leading to the side room. In about fifteen minutes he was arrested, on the hill south of town, toward the river.

CROSS EXAMINATION.

Q. Did you see any blood in the main office?

A. Yes, some by the front door.

Q. Did Edgie Gregory throw the hatchet at John D.?

A. No, don't know what he threw, but it hit the coal house as he was getting over the fence.

5th witness, Mrs. J. H. Hill. I was at home in my own kitchen scouring when I saw Mr. Gregory pass the door in a kind of a trot. I heard Mrs. Lucy Yeats screaming "he's killed him." I said to Mr. Hill "something's the matter," and directly I saw them pass the front door and heard Mrs. Yeats say "he has killed that boy."

Witness was excused.

6th witness, J. H. Hill. I was behind my house mending a broom, raised up and saw John D. pass by; he passed on, got over the fence, when I heard Mrs. Yeats scream. John D. went by the hotel, stopped a second or two and seemed to be talking to Sophia Sexton, daughter of Mrs. Rhodes. Sophia was standing where she stops her hogs. He walked twenty feet and then ran. He once boarded with me. I went in the bank the next morning.

He was excused.

7th witness, Obe Simmons. I first saw the defendant on the hill. I went because I heard the bank was robbed. We found John D. in a lot, in a corner of a paling fence. The lot belonged to Ike Martin. I told him to get up, he asked me to keep them from hurting him. I told him I would not. I was in the gang that took him to the city hall. I was deputized to guard him and remained with him until 1 o'clock, when Hicklin and Flanary arrived. In the right he said Edgie Gregory called him a d—b. I hit him, said Jno. D., because he said this. Jno. D. did not remember anything that happened. He groaned and talked all the night and often fell out of his chair. I told him it was a little trouble between him and Edgie and would not cost him more than fifty or a hundred dollars. He said that the trouble came up over the check.

Cross Examination:

Q. Had you been to the bank on Thursday?

A. No, I had not.

Q. Did they search Jno. D.?

A. Yes.

Q. Did they find any weapons?

A. I did not see them if they did.

Q. Did Jno. D. have any blood on him?

A. Yes, on the right side of his face and collar. (Witness was then excused.)

8th witness, F. B. Dycus, on the evening of the 24th I was sitting in Dr. Phillips drug store, heard some one hollow, and I ran to the door, and saw Edgie Gregory coming out of the bank, bloody. He said Jno. D. has brained me with a hatchet and has just gone over the hill! I went to the livery stable and ordered Charlie Gregory to bring his horses out quick. The other men went over the hill and directly I heard some one hollow, "here he is." On the hill he said, "I haven't done anything, you have the wrong man." He was arrested by Bud Wadlington, Bob Jackson, Walter Lowery, Charlie Gregory and Obe Simmons.

Cross Examination:

Q. Where did they take him?

A. Down in front of the hotel and turned him over to Judge Yeates.

Q. Did he make any statements?

A. Yes, somebody asked him

what he had done and why was the blood on him, he said he got it killing hogs.

9th witness, I. F. Martin, was excused.

10th witness, Shelby Decker, I saw Gregory the morning before the trouble. Edgie Gregory and John D. were friendly. I was in the lower part of town when the trouble occurred. I came to the bank about two minutes after the trouble. saw blood on the safe and on vault. Did not see Edgie Gregory. Safe was open and cash was inside. Later saw Edgie Gregory wind time lock. He wound only one hand. I had worked in the bank to learn the business. I opened the bank the next morning. Did not see any blood only in vault I did not hear John D. make any statements. (witness was dismissed.)

11th witness, J. B. Wadlington, I have always known Edgie Gregory, have known Jno. D. Gregory a short time. I was working upon a building, heard the bank was robbed and Edgie Gregory hurt. I got down and ran up the river and then over the hill and found John D. in a fence corner. Jno. D. asked "what does all this mean?" he was told you will soon know. Shirley Pickering searched him, nothing was found that I know of. (witness dismissed.)

12th witness, Charlie Gregory, (brother of Edgie) John D. came to my stable and called for a team to be at the back of the hotel at 4 o'clock. We refused to let the team because it was tired. I was the first man that saw John D. when we went on the hill John D. said "don't let them hurt me" what have I done? Mr. Lowery said "You know what it means, throw up your hands."

Cross Examination:

Q. who was with you?

A. Walter Lowery, Obe Simmons and Bob Jackson.

Q. Had John D. been to the stable before?

A. I was not there, but my employees said that he had been there several times that morning. (witness dismissed.)

13th witness, Walter Lowery, (lives at Luke, Livingston County Ky.) I have known Edgie Gregory five or six years; I also know John D. I was in Dycusburg on the 21st, saw John D. about 4 o'clock, found him on the hill at the back of the hotel lying down, face up hill, I was among the first to approach him. He said: "gentlemen what have I done, what does this mean?" The defendant was brought down town Thursday, he said "Oh please, Mr. Lowery what have I done, what caused me to do this?" Charlie Gregory answered him by saying "You have killed my brother" John D. did not make any explanation as to how the blood got on him, I was not in the bank after the trouble. (witness dismissed.)

14th witness, Cleve Martin, I was at home cutting kindling. Dr. Phillips came and told me there was some trouble. I heard some one say "get the horses out of the stable" I thought there was a fire. Dr. Phillips said, "John D. is the man" I went to the hotel and found no one there. I then went upon the hill and heard some one say, "John D. is found". When I first saw him, he was resting on his elbow, had one of his hands in his pocket. I told him to throw up his hands. I got over the fence, Dycus and Pickering searched him. He said "What is it fellows? what have I done?" You surely have the wrong man." They took him to the hall and there he often said "something, something, something" I ask him, why have you done this? He said that he had not done anything. Why is that blood on you, I said, he said: "I did that killing hogs." I said I know better than that, I helped kill hogs, Monday. He said: "I was putting away the meat." (witness dismissed.)

15th witness, Mrs. F. B. Dycus, I went to the bank Saturday afternoon about twenty to four, saw John D. in the rear room of the bank. Did not see him do anything and know nothing further about it.

16th witness, C. R. Jackson: On the evening of the 24th I was in Yancy Brother's store. I was present when Jno. D. was arrested.

He was on the hill about a hundred yards back of the bank. I first saw him lying on his face. There were

only four of us when we first found him, but later there were about 35. Jno. D. first said: "What have I done?" He was then taken to the city hall. I did not go to the city hall then, but did later. I heard Jno. D. make no statements in the hall. I was in the bank next day. (Witness excused)

17th witness, Charlie Jones: I was present when Jno. D. was arrested. Jno. D. said: "What does all this mean? I have not done anything."

Some one said, "you know what you have done." I saw blood on his collar and on his cheek. Some one asked: "What does that blood mean?" But he did not reply. I was working on Mr. Cassidy's house when I first heard the hollowing. I saw several people running. We brought him down the hill to the hotel. I was sent into the hotel to get the handcuffs and handed them to Judge Yeates. Then I went after the ball and chain, but could not find it. Jno. D. unlocked the handcuffs himself. I was present when Edgie opened the front door of the bank, and he was blood all over I then went into the bank saw the blood on the shelf back of the vault, a bloody dent on the ceiling made by the hatchet.

Cross Examination:

Ques. What is your personal feeling toward the defendant?

Ans. I have nothing at all against him.

Ques. Mr. Jones, is it not a fact that he arrested your wife at one time?

Ans. Yes.

Ques. Was she not arrested for conducting a house of ill-fame?

Ans. I do not know what she was arrested for.

Ques. Was she not arrested and convicted?

Ans. Yes, but I don't know what for.

Ques. Is it not a fact that you had hard feelings against the defendant for this?

Ans. No, if I had I would not have worked on the road for him.

Ques. Had you not had some argument with the defendant?

Ans. Yes after I worked out my fine he would not allow me full time for other work I did.

(Witness Dismissed)

18th Witness, J. C. Bennett, I had known Jno. D. about six months and had always known Edgie. I was in Dycusburg, on the 24th, I heard hollowing of distress. I was in the bank about four or five minutes after the trouble occurred, saw blood on the floor and some on the safe in the vault. I saw Jno. D. in about 15 minutes, got there just after the arrest. I heard him say: "What have I done?" I think he was talking most of the time, but I was not close enough to understand what he said. I went as far as the hotel.

Cross Examination:

Ques. How many men were present at the time of the arrest.

Ans. I do not know.

Ques. Can't you estimate it?

Ans. Oh, something over four or five, I don't remember.

Ques. Where were you when the trouble happened.

Ans. About 75 feet from the bank.

Ques. Who was in the bank when you went in?

Ans. Several were passing in out I remember Dr. Wolf was in the vault.

Ques. Was Edgie there?

A. No, he was not there.

Q. Did you go to the city hall?

A. No.

(Witness dismissed.)

19th witness, Will Pilaut. On the 24th I was in Dycusburg in Owen Boaz's store; I saw John D. going by the back window of the store as fast as he could. He had to climb a rock wall. The next time I saw him, he was on the hill in the fence corner. I heard John D. say, "What does all this mean, what have I done?" Then he was brought down town. There were 30 or 40 people present at the time of his arrest. He did not talk much on his way down town. I went to the city hall with the prisoner, and he claimed that he was sick. He would fall over on the floor and say that he was sick. I was the first one in the bank after the trouble; it was very bloody in the vault, blood was on the floor and on the safe. The vault was open and safe partly open.

Cross Examination:

Q. Did Jno. D. take the keys out of his pocket?

A. Yes, and gave them to Judge Yeates; John D. said the handcuffs were behind his trunk; John D. unlocked them and gave the keys to some one. (Witness excused.)

20th witness, Charley Bennett. I am 17 years old, was going home from school the evening the trouble occurred. I saw John D. on the hill after he was arrested and he said, "what have I done?" and they told him what he had done. He held up his hands and said, "kill me if you want to." I did not hear Charley ask him anything. I went to the city hall with him that night; some one asked him if he had been doped and he said "yes." He was acting crazy and said, while he was lying there, he said, "Sophia is or aint innocent" I don't know which.

Cross Examination:

Q. Did anybody talk to John D.?

A. Walter Lowery was talking to him.

Q. Did he say that Sophia was implicated in this affair?

A. No.

Q. Did you stay at the city hall all of the time?

A. Yes, until he was taken away.

Q. Is it not a fact that you went to sleep and that they left you there asleep?

A. I went to sleep about 12:30 a. m. and got up before they left with him.

Q. Who heard him say that Sophia was innocent?

A. Walter Lowery.

Q. Do you know that Walter Lowery heard it?

A. I do.

Q. Who were present?

A. Obe Simmons, Dan Hornback, Walter Lowery and Guy Richards. (Witness dismissed)

21st witness, J. A. Graves: I was in the drug store at the time of the trouble. I heard Mr. Bennett say that he thought the bank was being robbed. I went to the front of the bank and saw Edgie trying to open the door; he said some one had pretty near brained him. "He has ran out the back door, towards the river." Mr. Jackson and I ran towards the river but did not see any strange people and turned back and went towards the road. We saw some one coming and it was Charlie Bennett coming from school. We turned and came up over the hill. We saw Jno. D. after they had arrested him. As Judge Yeates could not see, I went with him and wrote the warrant. I went to the city hall and remained about ten minutes, but the defendant said nothing. Was in the bank the next day, or the next day after the trouble. Saw blood on the floor and on the door. I did not see the encounter or any indications of it, except blood on the floor and the wounds on Edgie's head.

(Witness dismissed.)

Walter Lowery recalled:

Q. At the city hall, did you hear John D. say anything about Sophia?

A. Yes, he said, "Sophia, Sophia, that poor woman, how she is tied upon, don't blame her with this."

Q. Did anybody say that she was connected with this?

A. No.

Q. Did Obe Simmons ask John D. if these women had doped him?

A. Yes and he answered, "surely not, surely not."

Q. Did John D. beg to go on to Marion and not let them lynch him?

A. Yes, he said "blow my brains out." I said "John D., life is awful sweet to a man."

22nd Witness, Dr. Phillips: I am a practicing physician and have resided in Dycusburg nine years. Graduated at the Kentucky School of Medicine. I was on the street and heard some one hollow that some person robbed Edgie and gone out the back way, I went to the bank but did not go inside. Then I went up back the hotel, I saw Jno. D. going over the fence and I said "Go after him Jno. D." He went over the hill I went back to the bank and met Edgie, saying "I believe he has brained me." I went to the office and examined Edgie's head. I found a wound about an inch and a half on the left side of his head, and two on the back star-shaped lacerated wound. I could see the bone, the periosteum was destroyed. I don't consider it a

fatal wound unless complications set up. I consider the hatchet a deadly weapon. I examined the safe and found blood on it, also on the shelf back of the safe, on the door by the hinges. I believe the blood was on floor in front of the safe, also on the door facing leading into the back room. As Jno. D. came up the street he said "Dr. what have I done, if I have done anything I am ready to be punished for it." I went to the city hall about 8 o'clock, Jno. D. said "If it had not been for that check, there would have been no trouble. He called me a d—b, and I hit him; no man can call me that." He would not eat any supper, said his head hurt him.

Cross Examination:

Q. Do you consider the wound out of danger?

A. Yes, if nothing more happens to them. (He was then dismissed.)

After hearing the evidence, the Court decided to hold the defendant to answer any indictment made by the Grand Jury. The warrant was read for "willful and malicious striking with intent to kill."

The bond was fixed at \$750.00.

Rifle Free To Wide Awake Boys.

We have a Stevens rifle a fine gun, not a fobert but a real rifle worth at least \$10, which shoots No. 32 cartridges which we will give to the first boy who brings us twenty-five annual subscriptions to the Press provided as many as five are new subscribers. This offer holds good till the 10th of February only. All contestants must be in before Tuesday February 19th, 1907. The Press of Thursday February 21st, will contain a list of the contestants and hour their list was received at the Press office by us.

Layne & Leavell Bros. the Hopkinsville mule men will be in Marion next Monday, county court day, February 11th, 1907.

Left For New Mexico.

W. A. Davidson, of Levisa, and Calvin Clark, of Crittenden Springs, left Tuesday afternoon for Black Tower New Mexico. Mr. Davidson will probably locate if pleased. Mr. Clark however is only prospecting. He is employed as superintendent of the mines of the Henderson company and will return here this month to open up their mines and to push further developments on their properties.

Farm for Sale.

Farm near Hardin, Ky. for sale. Good land, good buildings and cheap. Write to Collins Waller, Morganfield, Ky.

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STARR

It rains, it snows, its muddy, it freezes, the water gets up, its rough, but our mail carrier Noble P. Hill travels the road just the same.

C. Y. Boucher and Mr. Gibson, went to Marion Monday.

Elvis Andrews, of Crayneville, was here Tuesday.

Albert Hankins, from Marion visited his fathers family last week.

Mr. Woodson, spent Tuesday night with us.

W. H. Ordway, was at Starr Thursday.

Charlie Hunt, is buying geese.

Miss Linna and Kirbie Paris, of Mid Way, is going to school, at Marion.

Wilson chapel church, is to be sold.

Jim James has moved in with his widowed mother.

J. H. Travis, continues running his saw-mill.

Tom Quess, visited his father near Belmont last Wednesday.

J.R. James had a horse to die recently.

Mrs. Alice Wilson and son from Green river is visiting her parents Mr. and Mrs. Carley at Starr.

Mr. Bill Ordway, visited his neice Mrs. Andrews last Thursday.